

PATENT

REPLY UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
TECHNOLOGY CENTER # 167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer Number:

000201

Attorney Docket No.:

J6721(C)

Applicant:

Zhang et al.

Serial No.:

10/056,968

Filed:

January 24, 2002

For:

THICKENER SYSTEM FOR COSMETIC COMPOSITIONS

UNUS No.:

01-0505-CPI

Group: 1617

Examiner: Shobha Kantamneni

Edgewater, New Jersey 07020

NOVEMBER 24, 2004

LETTER WITH TERMINAL DISCLAIMER

Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants are attaching hereto a Terminal Disclaimer disclaiming that portion of any patent granted for the above-identified application extending beyond the expiration date of Serial No. 10/056,923.

Please charge my Deposit Account No. 12-1155 in the amount of \$110.00 to cover the cost of the Terminal Disclaimer. Any deficiency or overpayment should be charged or credited to this deposit account. This request is being submitted in triplicate.

Respectfully submitted,

Milton L. Honig

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PTO/SB/25(10-00)
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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)

J6721(C)

In re Application of:

Zhang et al.

Application No.:

10/056,968

Filed:

January 24, 2002

THICKENER SYSTEM FOR COSMETIC COMPOSITIONS

The owner*, <u>Unilever Home & Personal Care USA, Division of Conopco, Inc.</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number <u>10/056,923</u>, filed on <u>January 24, 2002</u>, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

 For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

11/25/2004 EDEIS1 01 F0:1614

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110.00 BA

Signature Signature

Milton L. Honig
Typed or printed name

11/24/04 Date

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.